



# COLLIER HERITAGE FOUNDATION

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## The Last Testament and Will of Vines Collier

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Vines Collier died December 7, 1795 in Oglethorpe County, Georgia. He was buried in the family burial plot on his plantation.

The Last Will and Testament of Vines Collier is dated September 11, 1795 and was recorded on December 11, 1795. Vines became ill and passed away before signing the Will. However, with the testimony of witnesses who verified the accuracy of the Will as directed by Vines, as well as the acknowledgement of heirs, the Will was allowed to stand.

The Will is found in Oglethorpe County Will Book "A" on pages 14 and 16, in the Oglethorpe County Courthouse Probate Annex, Lexington, Georgia. Photographs of the Will are below.

# Oglethorpe County


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Fourthly, That my Land, Wagon, Horses, Cattle, Hogs and all other Implants belonging to the plantation may be Valued, And all debts that may be collected, may be Equally Divided as followeth, when all lawfull debts is payed, that is to say the one third unto my Wife, the other two parts Equally divided between, Isaac, and James, and Jane, except one cow to be given unto Mary, David Hillough's Wife.

Fifthly, I appoint my Son Allen Hillough and my wife to make a Deed to Dukes and Gordon to the Land I now live on, — Lastly, That my Son Allen Hillough,

John Wallace Senr and my Wife be my Executors, and have the selling of the said aforesaid Mill, given under my hand and seal this twentieth of October 1795

Test

Isaac Hillough   
mark

John Wallace

Isaac Hillough

Recorded November the 10th 1795

Geo. Lockie R. O. C. C.,

In the Name of God Amen) I Wines Collier of the County of Oglethorpe & State of Georgia Being of sound and perfect mind and Memory and calling to mind, it is appointed for man once to Die, Do make and ordain this my last will and testament and first of all I give my soul to god that gave it me hoping for the Resurrection of Eternal life & my Body to the Dust from whence it came, and as for my worldly Estate that god of his goodness has bestowed on me I give and bequeath in the following manner to wit) First I give my Daughter Betty Dunn one Negro girl named Wiley) secondly I give to my Daughter Ann Hardaman one negro girl named Aden



John Wallace }  
Jane Killough } Recorded November the 15th 1795

mark  
Geo. Lockie R. D. O. L.

In the Name of God Amen) I Vines Collier of the County  
of Colchester & State of Georgia Being of sound and perfect  
sence and Memory and Calling to mind, it is ap-  
pointed for man once to Die, Do make and ordain  
this my last will and testament and first of all  
I give my soul to god that gave it me hoping for  
the Resurrection of Eterndal life & my Body to the  
Durst from whence it Came, and as for my  
worldly Estate that god of his goodness has bestowed  
on me I give and bequeath in the following manor  
to wit) first I give my Daughter Betty Dunn  
one Negro girl named Dickey) secondly I give  
to my Daughter Ann Hardaman one negro girl  
named Joney

Partial Page



# Registers Office

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thirdly I give to my son Isaac Collier one  
 acres of land lying in the fork of the road  
 between James creek and myself (to wit) 6  
 at a corner pertimon in the spring branch  
 thence thence down the branch to the fork, the  
 up greers branch to the back line joining gre  
 thence on gresham line as far as will in a  
 straight line to the beginning for complimen  
~~thence~~ forthly I lend to my well beloved wi  
 Sally Collier my land Negroes and  
 kinds of property that I possess due  
 to her if she marries  
 my other ten child  
 to be called a budbth

Thomas  
 vines Esq  
 Robert C.  
 my wife  
 to be Esq  
 love me  
 and la

I have provided I am  
 comed on by a child  
 I all I appoint my  
 Isaac Collier and Sally Collier my  
 executrix of this my last will and tes.  
 witnesses whereof I have hereunto set my hand  
 and this eleventh day of September one thousand  
 seven hundred and ninety five  
 Recorded Dec: 11<sup>th</sup> Day 1795

Matt. Rainey, R.P.O.

December the 11 Day 1795 I hereby Certify and  
 acknowledge that I Refuse to act as Executor for  
 Estate the named in the will of Vines, Dec: 11  
 died on Monday the 7<sup>th</sup> of this Instant Certified  
 me at office this 11<sup>th</sup> Day of December: 1795  
 test  
 Samuel Northington } Matt. Rainey, R.P.O.



Collier viewed drafts of the Will in the Georgia Archives in Atlanta, Georgia. He reported,

"There are two drafts of Vines' will (Drawer 306, Box 118). In one of these drafts, he names Matthew Rainey (Clerk of Court) as one of the executors along with John Collier, Isaac Collier and Salley Collier. This stipulation, however, does not appear in the will that was approved and filed on the record. Evidently, Matthew Rainey felt it necessary to file an affidavit of refusal because of the wording of this draft. The other draft is pretty much a word for word rendering of the will that was filed. From this it is possible to interpolate the exact wording of the portion of the will that has worn away due to the ravages of time."

Presented below is the Will, as reconstructed and transcribed by the late Ramon Collier. The Will is followed by scans of additional, related legal documents, with transcriptions provided by Ramon. Portions shown in brackets ( ) have been damaged in the recorded copies. Ramon interpolated the damaged portions based on various other sources.

*In the Name of God Amen: I Vines Collier of the County of Oglethorpe and state of Georgia Being of sound and perfect sense and memory and calling to mind, it is appointed for man once to Die, Do make and ordain this my last will and testament and firs (sic) of all I give my soul to god (sic) that gave it me hoping for The Resurrection of Eternal life & my Body to the dust from whence it Came, and as for my worldly estate that god of his goodness has bestowed on me I give and bequeath in the following maner (sic) to wit: first, I give my Daughter Betsey Dunn one Negro girl named Dilsey, secondly I give to my daughter Ann Hardaman one negro girl named Janey. Thirdly I give to my son Isaac Collier one [hundred] acres of land lying in the fork of the Bra(nch) between James Greer and myself (to wit) (beginning) at a Corner persimmon in the spring branc(h) thence thence (sic) down the Branch to the fork, the(nce) up greers Branch to the Back line joining gre(sham) thence on Grishams line as far as will ma(ke a) strait line to the beginning for Complimen(t). forthly I lend to my well beloved wife Salley Collier my land, Negroes and (all) kinds of property that I possess dur(ing her widowhood) But if she marrys o(nly a child's) part with my other ten Child(ren, to wit, William Collier,) Thomas (Collier, Joh)n Collier, Cudbth [Cuthbert] (Collier), Vines Co(llier, Benjamin Collier, Williamson Collier,) Robert Co(llier, Pol)ley (Collier and Salley Collier and at my wife's death or Marriag(e the whole of what I lend her) to be equa(lly) divided amongst those ten children above mentioned only a child's (part to her if married) and last of all I appoint my son, John Collier and my son Isaac Collier and Salley Collier, my (wife, Executors and) Executrix of this my last will and testament in witness whereof I have hereunto set my (h)and (and) seal this eleventh day of September one thousand seven hundred and ninety five.*

(Seal)

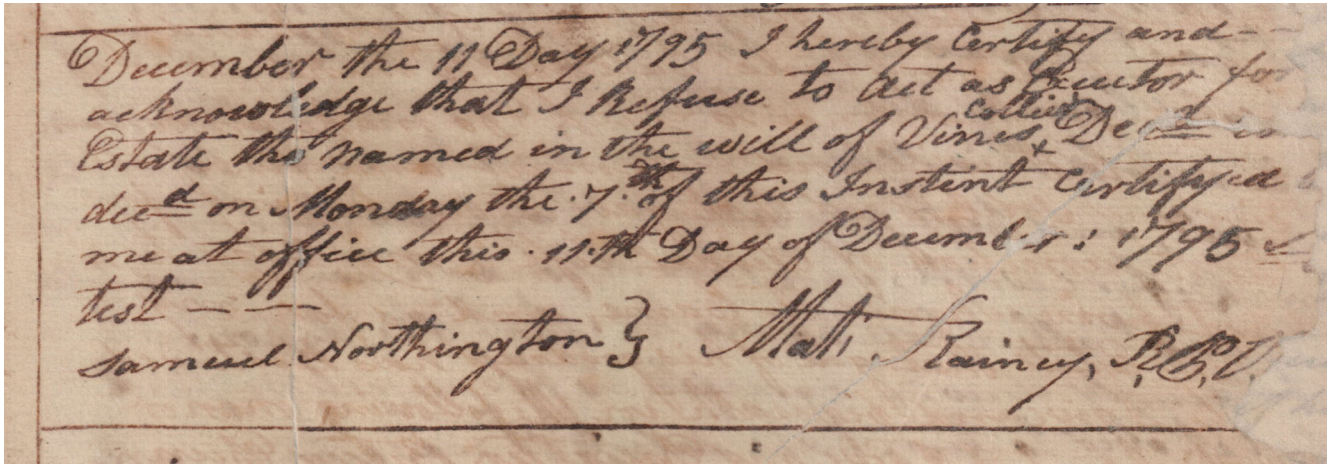
(Unsigned)

Recorded Dec. 11th 1795

Matt Rainey RCOC



Note that Rainey's refusal to serve as Executor is found at the bottom of page 16.

A handwritten document on aged, yellowed paper. The text is written in a cursive script. It reads: "December the 11 Day 1795 I hereby certify and acknowledge that I refuse to act as Executor for Estate tho named in the will of Vines Collier decd on Monday the 7th of this Instant certified by me at office this 11th Day of Decemb: 1795 test - Samuel Northington } Matt. Rainey, R.C.O.C." The text is written in a cursive script. The paper shows signs of age, including creases and discoloration.

December the 11th day 1795) I hereby certify and acknowledge that I refuse to act as Executor for the Estate tho named in the will of Vines Collier decd, decd on Monday the 7th of this instant certified by me at office this 11th day of 1795.

(At)test

Samuel Northington

Matt Rainey, R.C.O.C.

In the upper portion of this page, the heirs acknowledge the validity of the Will and John Collier turns down his inheritance.







to operate as fully and as amply (as if) the same had been signed by him the said (Vines) Collier under all the legal requisites, and do hereby (in all parts) allow and ratify the same in the most full (and ample) manner, agreeing also that the same be (recorded) in the Register's office at (th)e County (of Oglethorpe and I,) John Collier do for m(yself) here by (quitclaim to all) interest which I (might) be intitled (agreeable to the direction of such w(riting) and authorizing the same disposition as p(ointed) out (by the said writing along with) the other (legatees) therein named.

Attest: Matthew Rainey Dec. 11th, 1795

(Salley Collier

Charles Smith (John Collier

(John Hardaman

(Thos. Dunn

(Isaac Collier

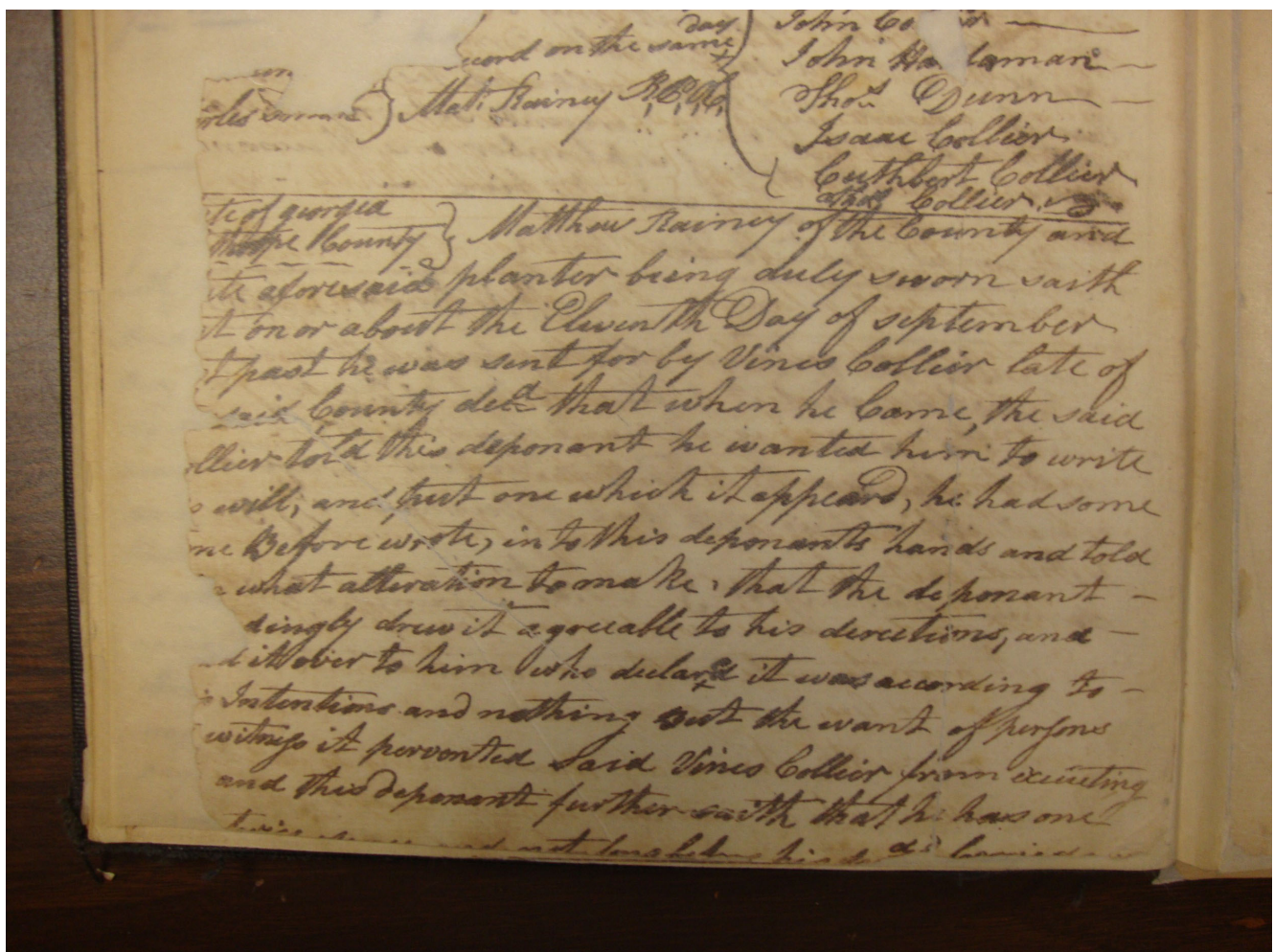
(Cuthbert Collier

(Thos. Collier

Recorded on the same day.

Mat. Rainey, R. C. O.

Other documents in the Will Book attest to the intent and accuracy of the unsigned Will of Vines Collier. First is by Matthew Rainey.





Registers — office

heard Mr. Collier Express his Concern that the will drawn as  
 above mentioned By this deponent was not Executed which  
 will or writing is here unto subjoined and he verily believes  
 that when it was Drawn and at every time afterward  
 when the said Collier spoke of it to and in hearing of  
 deponent he the said Collier was of sound and disposing  
 mind and memory and understanding, This deponent  
 also recollects that Mr. Collier told him on the evening  
 of the tenth or on the said eleventh day of September last  
 that George Younge & Leonard Younge had Been with  
 him and waited till near night in order to witness  
 the said will when wrote and had promised to come  
 again the next day for the same purpose  
 afterwards seeing Mr. Collier this deponent  
 asked him if the said George and Leonard Younge  
 come, who told him they did not and he was sorry  
 it as he was anxious to have the said will Executed  
 sworn to suppress — } In = Lumpkin: Fe  
 this twelfth day of Decr 1795

State of Georgia)

Oglethorpe County) Matthew Rainey of the County and State aforesaid, planter, being duly  
 sworn saith That on or about the Eleventh Day of September (just) past he was sent for by  
 Vines Collier late of the said County, dec'd, that when he Came, the said Collier told this  
 deponent he wanted him to write (hi)s will and put one which it appeared he had some one  
 Before write into this deponents hand and told him what alteration to make, that the  
 deponent accordingly drew it agreeable to his directions, and (read) it over to him who  
 declared it was according to his intentions and nothing but the want of persons to witness it  
 prevented said Vines Collier from executing it and this deponent further saith that he has once  
 or twice since and not long before his decease, heard Mr. Collier express his concern that the  
 will drawn as above mentioned by this deponent was not executed which will or writing is  
 hereunto subjoined and he verily believes that when it was Drawn and that every time  
 afterward when the said Collier spoke of it to and in the hearing of deponent, he, the said  
 Collier, was of sound and disposing mind and memory and understanding. This deponent also  
 recollects that Mr. Collier told him on the evening of the tenth or on the said eleventh day of  
 September, that George Younge & Leonard Younge had Been with him and waited to near



night in order to witness the said will when wrote and had promised to come again the next day or a few days afterwards and that sometimes afterwards, seeing Mr. Collier, this deponent asked him if the said George and Leonard Younge had come, who told him they did not and he was sorry of it, as he was anxious to have the said will executed. Sworn to and subscribed before me this twentieth of December, 1795.

Jno. Lumpkin J. P.}

Then the sworn statement of Leonard Younge.

It as he was anxious to have the said will executed -  
 Sworn to before me -  
 this twentieth day of Dec<sup>r</sup> 1795 } Jno. Lumpkin: J. P.

---

State of Georgia - } Leonard Younge of the County and  
 Collier the County } State aforesaid planter, Being duly sworn saith that  
 he the deponent occasionally happened at the house of  
 Vines Collier now deceased Mr. Collier drew out a paper  
 and said it was his will and read it the deponent  
 and expressed some Dissatisfaction the drawn by  
 self, which he made mention of, that was, he had  
 pointed out the land he had given to his son Is.  
 Collier and said he would send for Mr. Matthew  
 and get him to write another and asked him if he  
 got to his Bro. Geo. Younge and ask him if he would  
 come over with himself that Evening to witness  
 new will which he intended to have ready by the  
 (Carried over)



Oglethorpe County

appointed accordingly they both came and Mr. Collier informed them that he had sent for Mr. Rainey but he had not come and expressed himself somewhat uneasy urging on them to stay but as it was not convenient he asked them to come a few days after selecting a time himself, the deponent came by himself & his Bro. not coming by reason of sickness business was not done, some time after, which was on or about the seventh day of November last the deponent was in company with Mr. Collier again and he informed him he had got the will ready and all that was wanting was witnesses and he acknowledged it neglect in him that it had not been executed and this deponent further saith not.

Sworn to before me this eleventh day of December 1795

Recorded on the same day and date  
 11th 1795 { Jno. Lumpkin J.P.  
 Mat. Rainey, R.C.O.C.

State of Georgia)

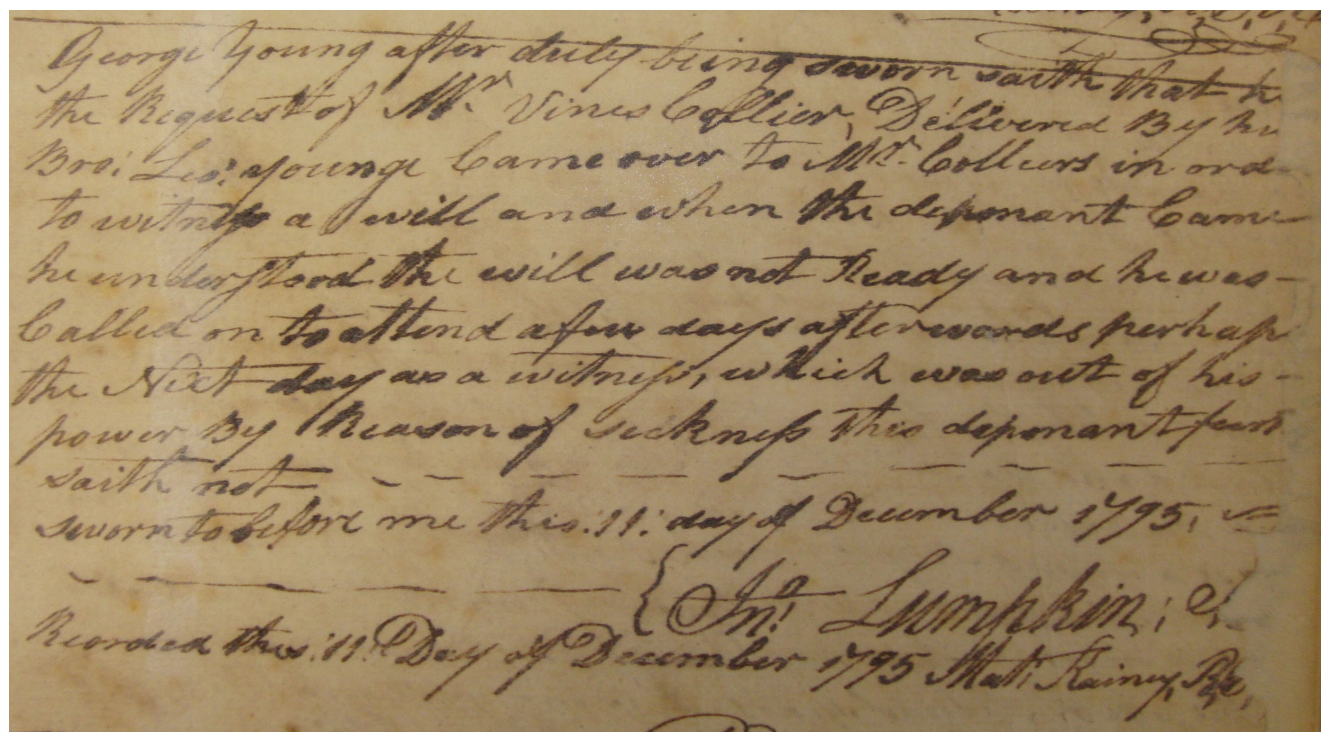
Oglethorpe County) Leonard Younge of the County and State aforesaid, planter, being duly sworn, saith that he, the deponent, occasionally (sic) happened at the house of Vines Collier, now deceased. Mr. Collier drew out a paper and said it was his will and read it to the deponent and expressed some Dissatisfaction tho drawn by himself, which he made mention of, that was, he had pointed out the land he had given to his son, Isaac Collier, and said he would send for Mr. Matthew and get him to write another, and asked him if he would go to his Bro., George Younge, and asked him if he would Come over with himself that evening to witness a new will which he intended to have ready by that time. Accordingly, they both came and Mr. Collier Informed them that he had sent for Mr. Rainey but he had not come and expressed himself somewhat uneasy, urging them to stay but it was not convenient. He asked them to come a few days after, selecting a time himself, the deponent came by himself and his brother not coming by reason of sickness, the business was not done. Sometime after, which was about or on the 7th day of November last, the deponent was in the company of Mr. Collier again and he informed him he got the will ready and all that was wanting was witnesses and he acknowledged (that) it (was) neglect in him that it had not been executed. And this deponent further saith not. Sworn to before me this eleventh day of December, 1795. Jno. Lumpkin, J. P.

Recorded on the same day and date.

11 December 1795 Mat. Rainey, R. C. O. C.



Followed by that of George Younge.

A handwritten deposition on aged, slightly stained paper. The text is written in a cursive script. The first part of the text describes George Young's experience as a witness, mentioning Mr. Vines Collier and his brother Leo. The second part is a signature block for Jno. Lumpkin, J. P., dated the 11th day of December 1795, with the weather noted as 'Mat. Rainy, &c.'.

George Young after duly being sworn saith that at the Request of Mr. Vines Collier, Delivered By his Bro: Leo: a young came over to Mr. Colliers in order to witness a will and when the deponent came he understood the will was not ready and he was called on to attend a few days after words perhaps the next day as a witness, which was out of his power by reason of sickness this deponent fears saith not  
sworn to before me this 11. day of December 1795.  
Jno. Lumpkin: J. P.  
Recorded this 11. Day of December 1795 Mat. Rainy, &c.

George Younge after duly being sworn saith he, at the request of Mr. Vines Collier delivered by his brother, Leo. Younge, came over to Mr. Collier's in order to witness a will and when the deponent came he understood the Will was not ready and he was called on to attend a few days afterward, perhaps the next day, as a witness, which was out of his power by reason of sickness. (And this) deponent (further) saith not.

Sworn to before me this eleventh day of December, 1795.

Jno. Lumpkin, J. P.

Recorded this 11th day of December, 1795.

Mat. Rainey, R. C. O. C.

And then the statement from John Collier, son of Vines.



John Collier of the said County planter, and one of  
 the sons of the said Vines Collier deceased being sworn  
 with, that he well remembers / his father having  
 sent for Mr. Rainey to write his will, & for Geo.  
 and Leo. Younge to witness it, that it was late  
 in the evening before Mr. Rainey came and the  
 gentlemen being absent he asked Mr. Rainey -  
 stay all night and draw it in the morning -  
 when perhaps the witnesses would come again that  
 he recollected hearing his father tell Mr. Rainey  
 to draw it, and heard it read over to his  
 father by Mr. Rainey after it was wrote and that  
 it corresponded with the said Directions, this -  
 went further with that he has Examined the  
 writing and verily believes it to be the same  
 which was wrote by Mr. Rainey, Comd.

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 at that time for the last will of the said Vines Collier  
 who was well pleased therewith, and believes said Collier  
 was of sound memory and understanding at the time  
 sworn to before me this 11 day of December - 1795 }  
 Recorded the 11 Day of Decr 1795 *Geo. Thompson, Esq.*  
*Not. Rainey, N.B. &c.*

John Collier of the said County, planter, and one of the sons of the said Vines Collier, deceased, being sworn herewith, that he well remembers his father having sent for Mr. Rainey to write his will and for Geo. and Leo. Younge to witness it, that it was late in the evening before Mr. Rainey came And the gentlemen being absent, he asked Mr. Rainey to stay all night and Draw it in the morning, when perhaps the witnesses would come again, that he recollected hearing his father tell Mr. Rainey to draw it and heard it read over to his father by Mr. Rainey after it was wrote and that it Corresponded with the said directions. His tenant(?) further saith that he has examined the handwriting and verily believes it to be the same writing which was wrote by Mr. Rainey for the last will of the said Vines Collier who was well pleased therewith, and believed that Said Collier was of sound memory and understanding at that time. Sworn to before me this Eleventh Day of Dec., 1795.



*Jno. Lumpkin, J. P.*

*Recorded the 11th day of Dec., 1795. Mat. Rainey, R.C.O.C.*

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